

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

**WALKER INTERNATIONAL HOLDINGS :
LIMITED**

Plaintiff

v.

REPUBLIC OF THE CONGO, et al.,

Defendants

Case Number 1:05-mc-156

NOTICE OF SUIT

TO: Directeur General de la Caisse Congolaise d'Amortissement BP 2090 Brazzaville, Congo	Republic of the Congo c/o Head of the Ministry of Foreign Affairs Rodolphe Adada BP 98 Brazzaville, Congo
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Registered Mail
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Minstre de l'Economie, des Finances et
du Budget
Centre Administratif, Quartier Plateau
BP 2093
Brazzaville, Congo

United States Corporation Company
(Registered Agent for Republic
of Congo)
1133 Avenue of the Americas,
Suite 3100
New York, New York 10036

Registered Mail
Return Receipt Requested

Certified Mail
Return Receipt Requested

Mr. Boaz S. Morag
Cleary, Gottlieb, Steen & Hamilton
One Liberty Plaza
New York, New York 10006

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1. Title of legal proceeding; full name of court, case or docket number:

Walker International Holdings Limited v. The Republic of the Congo, et al.; in the United States District Court for the District of Columbia; Civil Action No. 00-2987(JR). A judgment in favor of plaintiff Walker International Holdings Limited in the above referenced action was registered in the United States District Court for the District of Delaware by way of the following action: Miscellaneous Action No. 1:05-MC156. An application for a writ of execution has also been filed: *Walker International Holdings Limited v. The Republic of the Congo*, Miscellaneous Action No. 1:05-MC156. The garnishee under the writ of execution is CMS Nomeco Congo, Inc., a Delaware corporation.

2. Name of foreign state (or political subdivision) concerned:

Defendant/Judgment Debtor: Republic of Congo.

3. Identity of other parties:

Plaintiff/Judgment Creditor: Walker International Holdings Limited

Garnishee: CMS Nomeco Congo, Inc.

4. Nature of documents served (e.g., summons and complaint; default judgment):

A. Registration of Judgment of United States District Court for the District of Columbia (attached).

B. Application for Issuance of Writ of Execution and Attachment *Fieri Facias* (Garnishment) (attached).


C. Writ of Execution (attached)

5. Nature and purpose of the proceeding; why the foreign state (or political subdivision) has been named; relief requested:

This is a notice of suit in an action to register in the United States District Court for the District of Delaware a judgment of the United States District Court for the District of Columbia. On March 15, 2002, the United States District Court for the District of Columbia entered a final judgment in Cause No. 00-2987(JR) in favor of Plaintiff, Walker International Holdings Limited and against Defendants The Republic of Congo and Caisse Congolaise D'Amortissement for \$26,093,251.00, plus interest and costs, based upon an Arbitration Award issued by the International Chamber of Commerce. The Republic of Congo was named in this action because it is a defendant and judgment debtor in the proceeding in the United States District Court for the District of Columbia of which it had notice, but elected not to defend. The relief sought in this action and the garnishment action referenced above is to enable Plaintiff to execute on any assets of, or debts owned to, the Republic of Congo that are within the jurisdiction of the United States

District Court for the District of Delaware. If the Court issues a writ of garnishment to enforce the judgment, the money and property of the Republic of Congo could be taken without further warning from the Court.

6. Questions relating to state immunities and to the jurisdiction of United States courts over foreign states are governed by the Foreign Sovereign Immunities Act of 1976, which appears in Sections 1330, 1391(f), 1441(d), and 1602 through 1611 of Title 28, United States Code (Pub. L. 94-583; 90 Stat. 2891). A copy of the Foreign Sovereign Immunities Act is attached.

<p>GREENBERG TRAURIG LLP Sanford M. Saunders, Jr. Kenneth P. Kaplan 800 Connecticut Avenue, N.W. Suite 500 Washington, DC 200006 (202) 331-3100</p> <p><i>Attorneys for Walker International Holdings Limited</i></p> <p>Dated: August 31, 2005</p>	<p>GREENBERG TRAURIG LLP</p>  <p>Paul D. Brown (No. 3903) Joseph B. Cicero (No. 4388) The Brandywine Building 1000 West Street, Suite 1540 Wilmington, DE 19801 (302) 661-7000</p> <p><i>Attorneys for Walker International Holdings Limited</i></p>
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